

DATE: September 19, 2011

TO: Barbara Ross, Deputy Director *B. Ross*
Department of Planning and Zoning

FROM: Nathan Randall, Planner
Department of Planning and Zoning

SUBJECT: Special Use Permit #2011-0054
Administrative Review for Change of Ownership
Site Use: Automobile Service Station with Convenience Store and
Restaurant
Applicant: Fannon Mart Exxon, Inc.
Location: 2320 Jefferson Davis Highway
Zone: I / Industrial

Request

Special Use Permit #2011-0054 is a request to change ownership of an existing gas station with a convenience store and restaurant from US Oil of Virginia LLC to Fannon Mart Exxon, Inc. No changes to the operation are proposed.

Background

Development of the gas station with convenience store was approved by City Council in 1997 and the 24-hour restaurant was added in 1999. Most recently, in March 2004, City Council denied a request to add off-premises alcohol but approved a change of ownership (SUP#2003-0122).

On August 30, 2011, staff inspected the site for compliance with conditions of SUP#2003-0122 and no violations were found. Staff has not received any complaints that would require staff to docket the Special Use Permit for public hearing.

Community Outreach

Public notice was provided through eNews, via the City's website, and by posting a placard on the site. In addition, the Del Ray Citizens' Association was sent an e-mail with information about the current application. Staff has not received any comments from residents or adjacent businesses that would require staff to docket the Special Use Permit for public hearing.

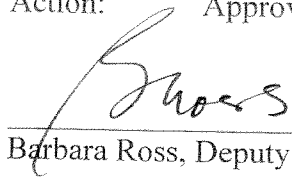
Staff Action

Staff does not object to the applicant's change of ownership request and hereby approves the Special Use Permit.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: October 18, 2011

Action: Approved



Barbara Ross, Deputy Director

Attachments: 1) Special Use Permit Conditions
2) Statement of Consent

CONDITIONS OF SPECIAL USE PERMIT #2011-0054

The applicant is responsible for ensuring that the following conditions are adhered to at all times. Violation of any of the conditions may result in fines and/or referral to public hearing by the Planning Commission and City Council.

1. This Special Use Permit shall be granted to the applicant or to any business or entity in which the applicant has a controlling interest only. (P&Z) (SUP #97-0145)
2. No materials shall be stored or permitted to accumulate outside, except in a dumpster or other suitable trash enclosure. (P&Z) (SUP #97-0145)
3. The applicant shall post the hours of operation at the entrance to the business. (P&Z) (SUP #97-0145)
4. No amplified sound shall be audible at the property line. (P&Z) (SUP #97-0145)
5. The applicant shall post "No loitering" signs on the property and shall submit a letter to the Chief of Police permitting the police to enforce the sign. (P&Z) (SUP #97-0145)
6. No alcoholic beverages shall be sold.
7. No outside pay telephones shall be installed. (PC) (SUP #2001-004)
8. No outdoor vending machines shall be permitted. (P&Z) (SUP #97-0145)
9. **CONDITION DELETED BY STAFF** (SUP#2003-0112)
10. Condition deleted. (PC) (SUP #97-0145)
11. **CONDITION DELETED BY STAFF** (SUP#2003-0112)
12. **CONDITION DELETED BY STAFF** (SUP#2003-0112)
13. All dumpsters and utility structures (except fire hydrants) shall be located and screened to the satisfaction of the Director of Planning and Zoning. (P&Z) (SUP #97-0145)
14. No more than the one freestanding sign proposed shall be permitted, and it shall have a maximum sign area of 75 square feet. (P&Z) (SUP #97-0145)
15. **CONDITION AMENDED BY STAFF:** The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the business and a robbery awareness program for all employees. (Police) (~~SUP#2003-0112~~)

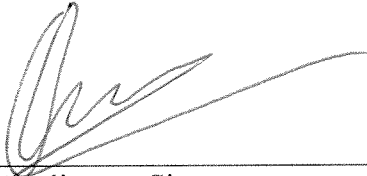
16. **CONDITION AMENDED BY STAFF:** The applicant shall consult with the Crime Prevention Unit of the Alexandria Police Department regarding a robbery awareness program for all employees. (P&Z) (~~SUP #97-0145~~)
17. Lighting on the entire lot shall be a minimum of 2.0 foot candles maintained or to the satisfaction of the Director of Transportation and Environmental Services in consultation with the Chief of Police. (Police) (P&Z) (SUP #97-0145)
18. As the trees on the site mature they shall be limbed up a minimum of 6 feet. (Police) (SUP #97-0145)
19. CONDITION DELETED BY STAFF (SUP#2003-0112)
20. CONDITION DELETED BY STAFF (SUP#2003-0112)
21. A parking reduction to 16 spaces shall be permitted. (PC) (SUP #97-0145)
22. No seating shall be provided for the restaurant. (P&Z) (SUP #98-0156)
23. No outdoor seating shall be permitted on the premises. (P&Z) (SUP #98-0156)
24. No live entertainment shall be provided at the restaurant. (P&Z) (SUP #98-0156)
25. No delivery service shall be provided. (P&Z) (SUP #98-0156)
26. No food, beverages, or other material shall be stored outside. (P&Z) (SUP #98-0156)
27. The applicant shall maintain at least one trash container within the restaurant for customers' use. (P&Z) (SUP#2003-0112)
28. All disposable paper goods or drink containers shall be clearly marked so that the source of any litter can be identified. (P&Z) (SUP #98-0156)
29. Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in a closed container which does not allow invasion by animals. No trash or debris shall be allowed to accumulate on site outside of these containers. (P&Z) (SUP #98-0156)
30. Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (P&Z) (SUP #98-0156)

31. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys, or storm sewers. (T&ES) (SUP #98-0156)
32. The applicant shall control cooking odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation and Environmental Services. (T&ES) (SUP #2002-0083)
33. The Director of Planning and Zoning shall monitor the parking lot to insure that the existing on-site parking is sufficient for all of the uses. If the Director determines that the parking is insufficient or that the demand for on-site parking exceeds the existing supply, the applicant shall modify the parking area to the satisfaction of the Directors of Planning and Zoning and Transportation and Environmental Services. (P&Z) (SUP #98-0156)
34. **CONDITION AMENDED BY STAFF:** The Director of Planning and Zoning shall review the Special Use Permit one year from approval and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions, (b) the director has received a request from any person to docket the permit for review, as a result of a complaint that rises to the level of a violation, or (c) the director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z) ~~(PC)~~ ~~(SUP#2003-0112)~~
35. ~~CONDITION DELETED BY STAFF (SUP#2003-0112)~~
36. Condition deleted. (SUP #99-0161)
37. All lighting shall be directed downward and shall be screened at the sides to avoid glare on adjacent residential properties, to the satisfaction of the Directors of Planning and Zoning and Transportation and Environmental Services. (CC) (SUP #2001-0004)
38. All landscaping shall be well maintained in perpetuity. (PC) (SUP #2001-0117)
39. Loudspeakers shall be prohibited from the exterior of the building, but intercoms for the purposes of communication between the station attendant and customers at the gas pump are allowed. (T&ES) (PC) (SUP #2002-0083)
40. All waste products including, but not limited to organic compounds (solvents), motor oil, compressor lubricant and antifreeze shall be disposed of in accordance with all local, state and federal ordinances or regulations and not be discharged to the sanitary or storm sewers, or be discharged onto the ground. (T&ES) (SUP #2002-0083)

41. The applicant shall comply with the City of Alexandria Best Management Practices Manual for Automotive Related Industries. A copy can be obtained by contacting the Division of Environmental Quality on 703/519-3400. (P&Z) (SUP #2002-0083)
42. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all SUP provisions and requirements. (P&Z) (SUP#2003-0112)
43. The applicant shall provide a menu or list of foods to be handled at this facility to the Health Department prior to opening. (Health) (SUP#2003-0112)

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2011-0054. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the automobile service station with convenience store and restaurant at 2320 Jefferson Davis Highway.



Applicant - Signature

11/09/11
Date

PHAKDEY MAM OUNG

Applicant - Printed

11/09/11
Date